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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,309	06/02/2006	Hajime Watanabe	925-343	3640
23117 7590 07/18/2008 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
BONCK, RODNEY H				
ART UNIT		PAPER NUMBER		
3681				
MAIL DATE		DELIVERY MODE		
07/18/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/581,309

Applicant(s)

WATANABE, HAJIME

Examiner

Rodney H. Bonck

Art Unit

3681

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 6/2/06 & 3/13/07

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The following is a first action on the merits of application Serial No.10/581,309, filed June 2, 2006.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

Receipt is acknowledged of the Information Disclosure Statements filed June 2, 2006 and March 13, 2007. The cited documents have been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 3, 4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Zettner et al.('937). The Zettner et al. device shows a one-way clutch having a retainer comprising two annular portions 15 and a plurality of pillar portions 16 defining pockets

for rollers 3. An engagement portion 19 is shown formed on one of the annular rings 15 and on each pillar 16 and engaging inner ring 2 of the clutch. As shown in Zettner et al., the engagement portion terminates at an inner axial edge of the other annular ring 15 thus providing a non-engagement inner peripheral surface which is not engaged with the inner ring. The non-engagement inner peripheral surface is located outside a circle larger than a circumference of the engagement portion. Biasing members are provided at 18 in Zettner et al.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zettner et al.('937). The structure of Zettner et al. is discussed above and differs from these claims in that the engagement portions engage the inner ring of the clutch rather than the outer ring. It is well known in this art that the clutch can have the ramps on the outer ring rather than the inner ring; and, in such an arrangement, it would have been obvious to reverse the Zettner et al. configuration to have the engagement portion of the retainer situated to engage the outer ring rather than the inner ring.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lederman et al.('489) in view of either Gehrke('312) or Stark et al.('201). The Lederman et al. device has two arcuate portions 40 and pillars 36 forming pockets for rollers 44. Engagement portions 40, 46 are formed on one of the arcuate portions and on pillars 36. A non-engagement outer peripheral surface is located on the other arcuate portion 40 and does not engage the outer ring. The non-engagement outer peripheral surface is located on a circle smaller than a circumference of the engagement portion (note e.g., Fig. 6). By definition, an annular portion is a portion of, relating to, or forming a ring. Thus arcuate portions 40 could broadly be considered annular; however, it further would have been obvious to make the annular portions in Lederman et al. as complete rings joined by the pillars, such as suggested by Gehrke (22, 24) or Stark et al. (2, 2). Incorporating such known structure in Lederman et al. would have yielded predictable results to one having ordinary skill in this art at the time of the invention. Additionally, providing two annular portions would strengthen the retainer and thus further be a modification that would have been obvious to the artisan. In Lederman et al., the outer ring of the clutch has the ramp surfaces but it would have been obvious to reverse the Lederman et al. configuration to have the engagement portion of the retainer situated to engage the inner ring rather than the outer ring in clutches having the ramps on the inner ring.

Allowable Subject Matter

Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rodney H. Bonck/
Primary Examiner, Art Unit 3681

rhb
July 16, 2008